

FILED

## United States District Court

August 09, 2022

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Axel Daniel Fuentes-Garcia

Case Number:

YOB: 2001 COB: Honduras

M-22-1567-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about August 8, 2022 in Hidalgo County, in the  
Southern District of Texas

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Abraham Vera-Ramirez, and Jose Francisco Fajardo-Mendoza, both citizens and nationals of Mexico, along with four (4) other undocumented aliens, for a total of six (6) who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near San Manuel, Texas to the point of arrest near SanManuel, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a U.S. Border Patrol Agent and that this complaint is based on the following facts:

On August 8, 2022, a Border Patrol agent was observing traffic on United States Highway (US HWY) 281 at an elevated location in San Manuel, Texas. From his vantage point, the Agent observed a gray Toyota Tacoma traveling on US HWY 281 with multiple subjects laying on the bed of the truck. US HWY 281 is utilized as an alien smuggling corridor by Transnational Smuggling Organizations (TSOs), who drop off undocumented aliens south of the Border Patrol Checkpoint in Falfurrias, Texas in an attempt to circumvent the checkpoint and avoid immigration inspection. Furthermore, it is a common tactic for TSOs to load undocumented aliens laying down on the bed of the truck to maximize the number of subjects they can fit inside their vehicles. The Agent suspected an alien smuggling event was taking place and relayed his observations to his partner who was nearby in a marked Border Patrol Unit.

The Agent nearby located the Tacoma Traveling north on US HWY 281 and conducted a traffic stop to conduct an immigration inspection on all its passengers. Agents approached the Tacoma and encountered a driver, a front seat passenger, three (3) passengers on the back seat, and two passengers laying down on the bed of the truck for a total of six (6) passengers. The Driver was identified as Axel Daniel Fuentes-Garcia, a United States Permanent Resident. All the passengers were determined to be illegally present in the United States. Daniel Fuentes-Garcia and all the passengers were place under arrest and transported to the McAllen Border Patrol Station.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Complaint authorized by AUSA Michael Mitchell

Submitted by reliable electronic means, sworn to and attested  
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

/s/ Jose Delgado

Signature of Complainant

Jose Delgado Border Patrol Agent

Printed Name of Complainant

August 9, 2022 at 2:24 p.m.  
Date

at McAllen, Texas  
City and State

J. Scott Hacker, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-22-1567-M**

**RE: Axel Daniel Fuentes-Garcia**

**CONTINUATION:**

**PRINCIPAL SWORN STATEMENT:**

Axel Daniel Fuentes-Garcia, a Legal Admitted Permanent Resident of the United States, was read his Miranda Rights and agreed to make a statement.

Fuentes confessed he responded to an add on a phone application to transport undocumented aliens for \$3,000. Fuentes stated he picked up one (1) undocumented alien at a gas station and picked up the rest at a residence. Fuentes stated he was to drop off the undocumented aliens before arriving to the Border Patrol Checkpoint, where the undocumented aliens were to circumvent the checkpoint by walking and picked up north of the checkpoint.

**MATERIAL WITNESS 1 STATEMENT:**

Abraham Vera-Ramirez, a Mexican citizen, was read his Miranda Rights and agreed to make a statement.

Vera agreed to pay \$7,500 to be smuggled into the United States. Vera stated he met a subject driving a gray truck at a gas station who was supposed to drive him north. Vera claimed after he arrived more people boarded the truck. Vera indicated that part of the arrangements were that the driver was going to drop them off before the Border Patrol Checkpoint so they could circumvent the checkpoint by walking around the checkpoint through the brush.

Abraham Vera Ramirez identified Axel Daniel Fuentes-Garcia, through a photo lineup, as the driver of the gray truck.

**MATERIAL WITNESS 2 STATEMENT:**

Jose Francisco Fajardo-Mendoza, a Mexican citizen, was read his Miranda Rights and was willing to make a statement.

Fajardo stated his brothers made the arrangements for him to be smuggled into the United States. Fajardo stated he crossed the river with six (6) others and were taken to a stash house. Fajardo claimed someone came to that house and instructed them to board a gray or white pick-up truck to drive them north. Fajardo added the driver instructed them turn off their cell phones and to crouch down so they would not be seen.